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Plaintiff in Propria Persona

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RODOLFO VELASQUEZ,

Plaintiff,

v.

SHELLPOINT MORTGAGE
SERVICING,

Defendant.

Case No. 21-cv-08289-JCS

JOINT RULE 26(f) REPORT

Judge: Hon. Joseph C. Spero

Trial Date: None Set

Pursuant to the Court's Order Setting Scheduling Conference and the Federal Rules of Civil Procedure ("Fed. R. Civ. P."), Plaintiff RODOLFO VELASQUEZ ("Plaintiff") and Defendant SHELLPOINT MORTGAGE SERVICING ("Shellpoint" or "Defendant") submit the following Joint Fed. R. Civ. P. Rule 26(f) Report:

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A. **Rule 26(f)(3)(A):**

The Parties do not anticipate any changes in the disclosures required by Fed. R. Civ. P. Rule 26(a).

Plaintiff will serve his initial disclosures to all parties no later than January 21, 2022.

Defendant will serve their initial disclosures to all parties no later than January 21, 2022.

B. **Rule 26(f)(3)(B):**

The Parties request July 29, 2022, as the deadline for completion of fact discovery.

The number of interrogatories, requests for admissions, and requests for production of documents, as well as number and length of depositions, shall be as set forth in the Federal Rules of Civil Procedure. Discovery should not be conducted in phases.

Without prejudice to Plaintiff's right to seek discovery on any relevant issue, Plaintiff contemplates as stated that he will need and seek discovery concerning the named causes of action in the Complaint for: (1) aiding & abetting breach of fiduciary duty (2) fraudulent debt; (3) misrepresentation; (4) negligence; and (5) damages.

Defendant Shellpoint anticipates conducting discovery, in the form of written requests, depositions, and third-party document production and depositions, on the following: (1) facts and circumstances surrounding the allegations and contentions asserted by Plaintiff in the Complaint; (2) Plaintiff's alleged damages; (3) whether any causal relationship exists between Plaintiff's alleged damages and any action or inaction, by Shellpoint, any of the other defendants, or any third parties; (4) Plaintiff's financial and consumer history; (5) any communications between Plaintiff and defendants related to matters alleged in the Complaint; (6) any communications between Plaintiff and any third parties regarding the matters alleged in Plaintiff's Complaint; and (7) Discovery necessitated by discovery sought by Plaintiff. Shellpoint expects to request that a

1 protective order be entered by the Court to govern the use and disclosure of information
2 that is deemed confidential, trade secret, and/or commercially sensitive.

3 C. **Rule 26(f)(3)(C):**

4 The Parties do not anticipate any issues regarding the preservation of discoverable
5 information. The Parties do not presently anticipate any issues relating to disclosure or
6 discovery of electronically stored information.

7 The Parties will explore avenues for narrowing the issues if needed as discovery
8 progresses and will consult with one another in advance of trial regarding possible
9 methods for streamlining the presentation of evidence and stipulations as to offers of proof.

10 D. **Rule 26(f)(3)(D):**

11 The Parties do not presently anticipate any issues relating to claims of privilege or
12 of protection of trial preparation materials. However, if such issues arise, the Parties
13 reserve their rights to assert them as necessary.

14 If a protective order is required by any Party, then the Parties agree to utilize the
15 model proposed protective order provided on the Northern District's website.

16 E. **Rule 26(f)(3)(E):**

17 There should not be any changes in the limitations on discovery imposed under the
18 Federal Rules or by Local Rule. The number of interrogatories, requests for admissions,
19 and requests for production of documents, as well as number and length of depositions,
20 shall be as set forth in the Federal Rules of Civil Procedure.

21 F. **Rule 26(f)(3)(F):**

22 The Parties do not anticipate any other orders under Rules 26(c) or 16(b), (c).

23 G. **Consent to Jurisdiction of a Magistrate Judge**

24 All Parties consent to the jurisdiction of a magistrate judge.
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Respectfully submitted,

DATED: January 18, 2022

By: /s/ Rodolfo Velasquez
Rodolfo Velasquez
Plaintiff In Propria Persona

Respectfully submitted,

KLINEDINST PC

DATED: January 18, 2022

By: /s W. Jason Scott
Ian A. Rambarran
W. Jason Scott
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MORTGAGE SERVICING